

REMARKS

Claims 1-47 were previously presented in the application. Claims 1-18, 22-29 and 34-38 have been cancelled (as instructed by the Examiner), Claim 47 was previously cancelled, and Claims 19-21, 30-33, and 39-47 have been objected and/or rejected for various reasons. Claims 19, 30, 39-40, 45 have been amended. Accordingly, after entry of the present amendment Claims 19-21, 30-33, and 39-46 will be pending.

CLAIM REJECTIONS - 35 U.S.C. §103

The Examiner also has rejected Claims 19-21, 30-33 and 39-47 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,616,239 (“Wendell”) in view of U.S. Patent No. 6,363,422 (“Hunter”).

Of the above-referenced rejected claims, claims 19, 30, 39, 40 and 45 are independent. Accordingly, once patentability of those claims is established, all claims depending from them (including all other pending claims) are likewise allowable.

The Examiner alleges that Applicants’ arguments fail to comply with 37 C.F.R. §1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. The Examiner noted that the features upon which Applicants rely (i.e., “network connectivity that considers equipment having no native language protocols”) are not recited in the rejected claim(s).

Applicants has amended independent Claims 19, 30, 39-40, 45 to include network connectivity that considers equipment having no native language protocols.

Accordingly, in contrast to Hunter's infrastructure equipment 14 which uses the equipment's "native language protocol", Applicants' invention discloses an approach with which legacy equipment (having no defined native language protocol) can be monitored and/or controlled using an Embedded Internet Apparatus, such as the TINI module (electronic data acquisition and control device), which exists separate from the legacy equipment.

For testing and/or monitoring of high level or relatively more complex devices, such as those disclosed in Hunter, equipment manufacturers and vendors typically defined their own native language protocols. (col. 10, l. 15-31) However, relatively less complex equipment (commonly referred to in the art as "legacy equipment"), such as pool and spa technologies, lacked the requisite "vendor specific native language protocol" with which to be accessible or enabled by Hunter.

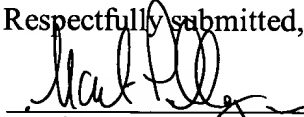
In this regard, Applicants disclose additional hardware for connecting the pool/spa system to the electronic data acquisition and control device (such as the TINI), and the software for support of the remote Internet-based access via a web-browser which is also required. The TINI or similar device is an "enabling" device that allows one embodiment of Applicant's invention to be practiced. However, a device such as the TINI, by itself is not adequate to enable Hunter to be practiced as a pool and/or spa control system, because, for example, "legacy" equipment lacks the level of connectivity required by Hunter.

In view of the amendments and remarks set forth above, it is thought that the application including claims 19-21, 30-33 and 39-46 are now in condition for allowance, notice whereof is respectfully requested of the Examiner.

If the Examiner has any questions regarding the foregoing, or if the Examiner would like to discuss any remaining or new issues regarding this communication, the Examiner is invited to contact the undersigned representative of Applicants at (949) 718-6750.

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Respectfully submitted,



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JMH/map

Claims

1 - 18. (cancelled)

19. (currently amended) Apparatus for remotely monitoring and controlling water parameters in a water installation, comprising:

network connectivity of a water installation including equipment having no native language protocol for providing water parameters of the installation, the network including:

a plurality of sensors for monitoring a plurality of water installation parameters;

an electronic data acquisition and control device in electrical communication with said sensors for receiving data signals indicative of the monitored water parameters and for selectively generating control signals to control devices related to said parameters;

a remote server; and

a network interface for providing a web-based network connection between said remote server and said data acquisition and control device said interface including means for transmitting data to said remote server for collection and storage on said server, and for transmitting commands to said data acquisition and control device for controlling said related devices.

20. (original) The apparatus of Claim 19, further comprising means for remotely viewing a current operational state of the water installation.

21. (previously presented) The apparatus of Claim 19, further comprising means for remotely viewing the data stored on the remote server in the form of a graph, chart, or table.

22 -29. (cancelled)

30. (currently amended) A method for remotely monitoring and controlling water parameters of a pool or a spa, said method comprising:

providing water installation equipment having no native language protocol for providing water parameters of the installation;

periodically collecting water parameter data from the equipment ~~at a local collection system;~~

providing a data communication link between the equipment ~~local collection system~~ and a remote server on a predetermined schedule or upon demand;

transmitting the water parameter data over said data communication link from said equipment ~~local collection system~~ to the remote server for storage and processing at the remote server;

accessing the remote server to access the water parameter data; and

transmitting control commands from the remote server to the equipment ~~local system~~ to affect said parameters;

wherein the steps of transmitting and accessing are facilitated by the Internet.

31. (original) The method of Claim 30, further including accessing the remote server by use of an Internet browser.

32. (original) The method of Claim 30, further comprising remotely accessing the remote server to view a current operational state of the water installation.

33. (original) The method of Claim 30, further comprising remotely viewing the data stored on the remote server in the form of a graph, chart, or table.

34 - 38. (cancelled)

39. (currently amended) A method of controlling pool water parameters over the Internet, including:

providing a pool with equipment having no native language protocol for providing water parameters of the pool;

providing means to monitor said parameters at said pool;
transmitting said parameters to a server connected to the Internet;
storing said parameters on said server;
viewing said parameter information stored on said server;
transmitting a command to said server in response to said viewing;
transmitting said command from said server to ~~controlled~~ equipment at said pool to cause said equipment to take a desired action affecting said parameter.

40. (currently amended) A method for remotely monitoring and controlling water parameters in a water installation, comprising:

providing a water installation with equipment having no native language protocol for providing water parameters of the installation;

a) providing a sensor for monitoring a water installation parameter;
b) providing an electronic data acquisition and control device in communication with said sensor for receiving data signals indicative of the monitored water parameter and for selectively generating control signals to control a device related to said parameter;
c) providing a remote server;
d) providing a remote control device; and

e) providing a network interface for providing a connection between said remote server and said data acquisition and control device via a web-based network;

wherein implementation of the method comprises the steps:

i) transmitting data related to said water parameter from said network interface to said remote server for collection and storage;

ii) viewing said data related to said water parameters by said remote control device;

iii) transmitting a command from said remote control device to said remote server in response to said viewing;

iv) transmitting said command from said remote server to said data acquisition and control device for controlling said device related to said parameter.

41. (previously presented) The method of Claim 40, wherein a web browser is used for said viewing of said data related to said water parameter.

42. (previously presented) The method of Claim 41, further including updating said data related to said water parameter in real-time using a Java applet.

43. (previously presented) The method of Claim 40 including providing a spa as said water installation.

44. (previously presented) The method of Claim 41 including providing a pool as said water installation.

45. (currently amended) Apparatus for remotely monitoring and controlling water parameters in a water installation, comprising:

providing a water installation with equipment having no native language protocol for providing water parameters of the installation;

- a) at least one sensor for monitoring a water installation parameter;
- b) a server for receiving and storing data from said sensor, said server being accessible from said sensor only via an Internet connection;
- c) a control device remote from said sensor;
- d) an electronic data acquisition and control device in communication with said sensor for receiving data signals indicative of the monitored water parameter and for selectively generating control signals to control the device related to said parameter, said electronic data acquisition and control device facilitating the transmission of data from said sensor to said server; and
- e) an Internet connection between said server and said data acquisition and control device.

46. (previously presented) The apparatus of Claim 45, including an Internet-browser applet graphical user interface for accessing said server.

47. (cancelled)